

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13134 of 2024

1. Nilamber Jha Son of Satishchandra Jha, Resident of Village- Kabilpur, PS- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-5).
2. Shila Devi Wife of Arun Kumar Thakur Resident of Village- Dekuli, P.S- Bahadurpur, District- Darbhanga.(Allottee of Shop No.-43).
3. Raja Jha Son of Upendra Jha Resident of Ward No-12 near Pokhar Bali, Bagaraul, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-25).
4. Shankar Kumar Choudhary Son of Triveni Choudhary Resident of- Village- Darhar, Ward No-8 near Mandir, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-44).
5. Deepak Kumar Jaiswal Son of Deo Narayan Jaiswal Resident of Village- Pator, Ward No-7, P.S- Pator, District- Darbhanga. (Allottee of Shop No.-42).
6. Damyanti Devi Wife of- Dev Narayan Choudhary Resident of Village- Pator, Ward No-7 near Pokhar, P.S- Pator, District- Darbhanga. (Allottee of Shop No.-45).
7. Devendra Kumar Jha Son of Devki Nandan Jha Resident of- Ward No-44, House No- 1256, Laxmipur, P.S- Laheriasarai, District- Darbhanga. (Allottee of Shop No.-51).
8. Prem Kumar Jha Son of Late Devki Nandan Jha Resident of Ward No-44, Laxmipur, near Raj tank post, P.S- Laheria Sarai, District- Darbhanga. (Allottee of Shop No.-52).
9. Prabhakar Kumar Singh Son of Balram Singh Resident of- Ward No- 35 Ayachi Nagar, P.S- Laheriasarai, District- Darbhanga.(Allottee of Shop No.-37).
10. Urmila Devi Wife of Charnjiv Choudhary Resident of- Ward No 6, near Braham Sthan, Darhar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-32).
11. Vijay Shankar Choudhary Son of Baua Jee Choudhary Resident of Ward No-12, near Mandir, Darhar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-72).
12. Laksham Choudhary Son of Lal Gobind Choudhary Resident of Ward No 12 near Thakurwari Mandir, Darhar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-73).
13. Chandra Mohan Jha Son of Digambar Jha Resident of Ward No-8, Bara Darwaja, Darhar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-14).
14. Lalan Kumar Jha Son of Late Digambar Jha Resident of Ward NO-8 near Bara Darwaja, Darhar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-11).
15. Sujit Kumar Choudhary Son of Umesh Chandra Resident of- Ward No-4 near Mishra Tola, Abdullahpur, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-55).



16. Sanjeet Kumar Choudhary Son of Umesh Chandra Resident of Village- Darhar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-62).
17. Mahesh Choudhary Son of Chandradev Choudhary Resident of Ward No-8 near Mandir, Darhar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-53).
18. Saroj Ray Wife of Anand Kumar Choudhary Resident of- Ward No 13, Darhar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-12).
19. Bibhuti Shankar Choudhary Son of Baua Jee Choudhary Resident of Village- Darhar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-65).
20. Birendra Choudhary Son of Krishna Kant Choudhary Resident of Village- Panchobh, P.S- Bishanpur, District- Darbhanga. (Allottee of Shop No.-57).
21. Rajesh Kumar Choudhary Son of Ram Sewak Choudhary Resident of Village- Darhar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-1).
22. Girja Nand Mishra Son of Tara Nand Mishra Resident of Village- Thalwara, P.S- A.P.M, District- Darbhanga. (Allottee of Shop No.-7).
23. Sunil Kumar Son of Nageshwar Mandal Resident of Village- Majhaulia, P.S- A.P.M, District- Darbhanga. (Allottee of Shop No.-16).
24. Man Mohan Jha Son of Digamber Jha Resident of Village- Darhar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-15).
25. Shambhu Nath Thakur Son of Umesh Thakur Resident of Village- Khajasarai, Ward No-46, P.S- Laheriasarai, District- Darbhanga. (Allottee of Shop No.-19).
26. Shankar Kumar Tiwari Son of Mahesh Tiwari Resident of Village- Yakubpur, P.S- Laheriasarai, District- Darbhanga. (Allottee of Shop No.-31).
27. Krishan Bhushan Choudhary Son of Niras Choudhary Resident of Village- Darhar Ward No 9, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-71).
28. Rukmini Devi Wife of Ramsagar Jha Resident of Village- Bahadurpur, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-35).
29. Md. Asif Son of Md. Ismail Resident of Village- Quazipura, P.S- Laheriasarai, District- Darbhanga. (Allottee of Shop No.-34).
30. Mohan Chaudhary Son of Dinesh Choudhary Resident of Village- Gobindpur, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-61).
31. Shashi Kant Kumar Son of Binod Sah Resident of Village- Laheriasarai, P.S- Laheriasarai, District- Darbhanga. (Allottee of Shop No.-47 to grand father).
32. Abdul Hafiz Ansari Son of Ahmad Hussain Resident of Mohalla- Maharajganj, Dumduma, P.S- Laheriasarai, District- Darbhanga. (Allottee of Shop No.-49 to father in law).
33. Ram Sevak Yadav Son of Purudul Resident of Village- Abhaipur, P.S- Ahraula, District- Azamgarh, Uttar Pradesh. (Allottee of Shop No.-36).
34. Dinesh Choudhary Son of Chandra Dev Choudhary Resident of- Village-



- Darhar, Ward No.8, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-46).
35. Malti Devi Wife of Uday Narayan Sah Resident of Babusaheb Colony Kabilpur, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-08).
 36. Mohammad Rizwan Son of Ali Imam Resident of Village- Dumduma, P.S- Laheriasarai, District- Darbhanga. (Allottee of Shop No.-39).
 37. Punam Devi Wife of Dinesh Choudhary Resident of Village- Dumduma, P.S- Laheriasarai, District- Darbhanga. (Allottee of Shop No.-48).
 38. Chiranjib Choudhary Son of- Anand Bihari Choudhary Resident of Village- Darhar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-58).
 39. Himanshu Shekhar Choudhary Son of Chandra Shekhar Choudhary Resident of Village- Darhar, Ward No.8, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-67).
 40. Md. Jawaid Kazmi Son of Late Mohammad Kazmi Resident of Village- Bankipur, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-27).
 41. Manju Devi Wife of Bhagwan Jha Resident of Village- Lulhaul, P.S- Singhiya, District- Samastipur. (Allottee of Shop No.-43).
 42. Ranjit Kumar Choudhary Son of Shatrughna Choudhary Resident of Village- Darhar, Ward No.7, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-38).
 43. Soni Jha Wife of Mritunjay Jha Resident of Village- Rampur, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-33).
 44. Raju Thakur Son of Late Dashrath Thakur Resident of Village- Dumduma, P.S- Laheriasarai, District- Darbhanga. (Allottee of Shop No.-50).
 45. Keshav Narayan Jha Son of Subhag Narayan Jha Resident of- Navtoliya, Ward No. 45, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-40).
 46. Lalbabu Choudhary Son of Ganesh Choudhary Resident of Village- Darhar, Ward No.-8, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-66).
 47. Jitendra Choudhary Son Munni Choudhary Resident of Village- Rupauli, P.S- Bishanpur, District- Darbhanga. (Allottee of Shop No.-59).
 48. Ramvilash Choudhary Son of Siya Choudhary Resident of Village- Darhar, Ward No.4, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-69).
 49. Kedar Chaudhary Son of Niras Chaudhary Resident of Village- Darhar, Ward No.8, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-18).
 50. Ranjeet Kumar Sandilya Son of Umeshchandra Jha Resident of Village- Kabilpur, Ward No. 46, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-26).
 51. Vijay Kumar Choudhary Son of Chandra Dev Choudhary Resident of Village- Darhar, Ward No.-8, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-54).



- 52. Mohammad Muslim Son of Mohammad Saheb Resident of Village- Premjiwar, P.S- Bahadurpur, District- Darbhanga. (Allottee of Shop No.-23).
- 53. Mohammad Owais Ansari Son of Mohammad Idris Ansari Resident of Village- Dumduma, P.S- Laheriasarai, District- Darbhanga.(Allottee of Shop No.-41).
- 54. Ejaj Ahmad Son of Shamim Ahmad Resident of Village- Dumduma, P.S.- Laheriasarai, District- Darbhanga.(Allottee of Shop No.-30)
- 55. Md. Jhaid Son of Md. Daud Resident of Village- Maharajganj, P.S- Laheriasarai, District- Darbhanga.(Allottee of Shop No.-24).
- 56. Ashok Nayak Son of Sukhi Nayak Resident of Village- Bakerganj, PS- Laheriasarai, District- Darbhanga.(Allottee of Shop No.-4)

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
- 2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
- 3. The Darbhanga Municipal Corporation through the Commissioner, Darbhanga Municipal Corporation.
- 4. The Commissioner, Darbhanga Municipal Corporation.
- 5. The Bihar Rajya Phul Nirman Nigam through its Chairman, Sardar Patel Marg, Patna.
- 6. The Chairman, Bihar Rajya Phul Nirman Nigam, Sardar Patel Marg, Patna.
- 7. The District Magistrate, Darbhanga.
- 8. The Superintendent of Police, Darbhanga.
- 9. The Ward Councilor of Ward No-44, Darbhanga Municipal Corporation, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shivam, Advocate
For the State	:	Mr. Ashutosh Kumar Upadhyay, AC to SC-9
For DMC, Darbhanga	:	Mr. Bindhyachal Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-09-2024 The learned counsel for the respondents seeks to file

a counter affidavit, copy whereof has already been filed online.

Let the same be kept on record.



2. Though the present writ petition has been filed for directing the respondent authorities not to dispossess the petitioners from their respective shops, allotted to them by the Darbhanga Municipal Corporation, Darbhanga, however, the learned counsel appearing for the Darbhanga Municipal Corporation submits, by referring to paragraph no.11 of the aforesaid counter affidavit filed in the present case, that vide resolution no.4 dated 29.06.2024, a decision has been taken to construct new shops at B.K. Road, Laheriasarai, which would definitely be allotted to the petitioners by completing the construction of the same within a period of six months from today. It is directed, accordingly.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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